

**FARMINGTON CITY
PLANNING COMMISSION MEETING
August 9, 2018**

STUDY SESSION

***Present:** Chair Alex Leeman, Commissioners Connie Deianni, Amy Shumway, Rulon Homer, Community Development Director Dave Petersen and Recording Secretary Tacy Stine. Commissioners Kent Hinkley and Roger Child and Associate City Planner Eric Anderson were excused.*

Item #3. Royd Waters (Public Hearing) – Applicant is requesting metes and bounds subdivision approval of the Waters Subdivision consisting of 2 lots on .39 acres of property located at approximately 95 W. State Street in an R-4 (Multi-Family Residential) zone. (S-20-18)

Dave Petersen said Mr. Waters had already obtained a special exception to do this. He said Eric Anderson thought it was going to be on the agenda at the last meeting, so Mr. Waters is now doing exactly what he said he'd do in the special exception.

Alex Leeman said he didn't see anything that made him think something didn't fit here. He said most of the interior lots on the street are as deep as his, a little bit bigger, but some of the corner lots have been split already.

Rulon Homer asked if he wanted to build another house behind the one already there. **Alex Leeman** said yes. He said they're still pretty good sized lots after they're split.

Dave Petersen said he could do a triplex if he wanted to, but he just wants to do a single family home. He said that's why the special exception went through, because people saw a single family home as more favorable than a triplex.

Item #4. Taylor Spendlove / Brighton Homes (Public Hearing) – Applicant is requesting a recommendation for schematic plan and preliminary PUD master plan approval for the Brookside Hollow PUD Subdivision consisting of 16 lots on 5.3 acres of property located at 411 S. 200 West in an BP (Business Park) and AE (Agriculture Estates) zone. (S-11-18)

Dave Petersen said this is on the bend on the frontage road. He pointed out how huge the parcel is on the map then explained how the applicant picked up the Carlson parcel to the south. He said it languished in the business zone for a long time because it's so deep and has no access. He said in the 70s the city didn't make them stub a street there or it could have been a residential cul de sac. He said a BP zone can have up to eight dwelling units per acre, but the applicant doesn't want to do that. The other parcel is agriculture estates, which is two dwelling units per acre or half acre lots in the yield plan. He said the applicant could do thirty-three units, but he's only doing sixteen.

Amy Shumway asked why the plan doesn't show the lot sizes. She thought it would have been helpful. **Dave Petersen** said he imagines it will be similar to Kestrel Bay.

Alex Leeman said it looks a little tight, but they are senior living homes.

Mr. Spendlove said they are one level, flat, and the PUD will take care of all the yards for them.

Alex Leeman asked if they are part of the assisted living center. **Mr. Spendlove** answered that they will be privately owned homes.

Alex Leeman asked if the CC&Rs would be age restricted? **Mr. Spendlove** said it would be a 55 plus neighborhood. He said the homes would have wider doors and wider hallways to appeal to that age.

Connie Deianni asked about the landscaping. She mentioned all the old growth trees in the area and asked if they would be taken down. **Mr. Spendlove** said they want to keep as many trees as they can. He said some of the trees are unhealthy and would have to come down. He said they would get an arborist to look at them. **Rulon Homer** said he drove to the site and some of the trees look scary. **Mr. Spendlove** said they want to keep the healthy trees, but have an arborist take down the ones that aren't healthy or are unsafe.

Dave Petersen reviewed that the applicant has cut their density in half, they are doing an assisted living facility with 30 beds and that it's a permitted use in the BP zone. He said the only issue for staff is more of a functional issue, which is the access. He said the applicant picked up an acre from the south so they can shimmy the access further south. He said it is on the safe side of the bend. It has great sight distance, but the left hand queue is tight. It's probably a greater distance than the potential left hand queue across the street to go straight across. He said they're not at site plan yet. He said staff has had some preliminary looks at it. He said they don't anticipate much with it because it has sixteen units and the type of senior living it's designed for.

Connie Deianni asked if it would be memory care. **Mr. Spendlove** said it would be a level two facility.

Dave Petersen brought up another senior living center that had been proposed a few years ago. He said in order to make it work they had to go with three stories. He said the citizens didn't object to the use, just didn't like the height.

Alex Leeman said it's a public hearing, and he's curious to see what people will think. He said he thinks it's a good fit for that spot.

Item #5. Maureen Benson (Public Hearing) – Applicant is requesting a recommendation for rezone approval of 2.34 acres of property located at 332 S. 1100 West from an A (Agriculture) to an AE (Agriculture Estates) zone. (Z-6-18)

Dave Petersen said it's an awkward thing. He showed the zoning plan. The Bensons own a long parcel and want to have a boundary adjustment to give their neighbors on the west some land. He said in order to do that it has to be zoned agriculture estates with a minimum lot size of two acres. State law says boundary adjustments have to conform to zoning ordinances. He said the Bensons want to rezone their property so they can adjust 0.3 or 0.4 acres to the west.

Item #6. Miscellaneous, correspondence, etc.

- a. **Anna May (Public Hearing) – Applicant is requesting a special exception to the fixed dimensional standards of the underlying zone, and to utilize a shared driveway on .91 acres of property located at 45 S. and 59 S. 300 West in an OTR (Original Townsite Residential) zone (M-4-18).**
- b. **Other**

Dave Petersen said the Mays own two parcels. They live in one house on 300 W. The other parcel they own is landlocked. They asked if they could build a home back there. He said the Mays were told they couldn't do that because they don't have access. Any building lot in Farmington has to front a public street. He said lots created before 1969 are often considered legal non-conforming lots. The Mays' lot was created in 1970, so one year off. Initially staff told the Mays in order to do what they wanted it has to be a PUD. He said the PUD is complicated, so they realized there is a special exception code that could be applied here. He said there's also an ordinance that allows for people across one building lot to bring access in. Jay Lamoreaux, who owns the lot to the north, which is a two family dwelling, is willing to do it to accommodate the Mays.

Amy Shumway wanted to know if the carport would be taken down. She thought it should be taken down and just turned into parking spots. **Dave Petersen** said that would be up to the property owners.

Alex Leeman asked if the Mays are building for a child or to sell it. **Dave Petersen** answered that it would be a house for them, to accommodate their growing family. He said the home they're moving is slab on grade, no basement.

Amy Shumway asked if the Mays are building new house for themselves. **Dave Petersen** said yes. He said as far as transition it's a home embedded in the block. Referencing the plan, he said the Smiths are R4 and can put in six units, Jim Hansen is R4 and has his business there, and the school parking lot is R4. He said having a single family home isn't that bad of a transition from non-residential uses to residential uses, in his opinion. He said staff hasn't received emails or comments.

Rulon Homer said he talked to a neighbor, and he wasn't concerned about it.

REGULAR SESSION

Present: Chair Alex Leeman, Commissioners Connie Deianni, Amy Shumway, Rulon Homer, Community Development Director Dave Petersen and Recording Secretary Tacy Stine. Commissioners Kent Hinkley and Roger Child and Associate City Planner Eric Anderson were excused.

Item #1. Minutes

Connie Deianni made a motion to approve the Minutes from the July 19 Planning Commission meeting. **Rulon Homer** seconded the motion, which was unanimously approved.

Item #2. City Council Report

Dave Petersen gave a report from the August 7 City Council meeting. **Dave Petersen** said the city council replaced a member who resigned because he became an employee of the city. He said it was Brigham Mellor who resigned who became the economic development director for Farmington City. **Dave Petersen** said they followed state law in replacing the candidate. Twenty people applied, five withdrew. He explained the format. He said each candidate had three minutes to talk about themselves. Each candidate previously filled out a questionnaire about why they wanted to run and any pressing issues they had. He said after the presentations they took an initial ballot. Five to six candidates got votes. He said Alex Leeman got the most votes so Rebecca Wayman made a motion to appoint him. It was seconded. **Dave Petersen** said Alex Leeman is the new City Council member. He will be sworn in two weeks from Tuesday.

Alex Leeman reported that there is now a vacancy on the Planning Commission. He assumed the mayor would put a notice out in the newsletter for applications. He said there were a lot of people at the City Council meeting that would make great candidates. **Dave Petersen** agreed that there were a lot of good candidates. He said the city might have vacancies on other boards and commissions too. **Alex Leeman** said he would miss being on Planning Commission. He said it's been an awesome experience, an awesome group of people to work with the last three and a half years, but he said he's excited about City Council. He said it's not something he anticipated he would try, but thinks it will be fun.

SUBDIVISION

Item #3. Royd Waters (Public Hearing) – Applicant is requesting metes and bounds subdivision approval of the Waters Subdivision consisting of 2 lots on .39 acres of property located at approximately 95 W. State Street in an R-4 (Multi-Family Residential) zone. (S-20-18)

Dave Petersen said they are memorializing something that already took place a few months ago. He said Royd Waters received a special exception approval to divide his lot at the southeast corner of First West and State Street, but he didn't submit a subdivision application. **Dave Petersen** said the applicant has submitted the subdivision application, and it shouldn't be a surprise to the Planning Commission or the neighborhood. **Dave Petersen** said Royd Waters is setting out to do what he got the special exception approval for. He said staff is recommending that the Planning Commission approve the lot split.

Royd Waters, 95 W State Street Farmington, explained his lot is a large lot in the city. He had a lot of people approach him, asking if he'd want to split it. He said people like it because it's off of the main thoroughfare, but still has access.

Alex Leeman asked if Mr. Waters would be building a second single family home. **Mr. Waters** said he would be selling it to someone else to do that. **Alex Leeman** asked how big the two lots will be. **Mr. Waters** replied that they will be approximately 0.2 acres each. He said it's a 0.39 acre lot and it's been split in half. **Rulon Homer** asked about a garage in the back. **Mr. Waters** said there is a garage as a

shop. **Rulon Homer** asked if the shop will stay there. **Mr. Waters** said it would stay with the second property.

Alex Leeman said looking at the code there are a few requirements for metes and bounds subdivisions. He stated that the code directs the Planning Commission to approve, approve with conditions or deny. He said this request appears to comply to city ordinances, but the Planning Commission still has the opportunity to approve with conditions if there is an issue that needs to be addressed or mitigated. **Alex Leeman** said the public hearing is useful because sometimes the Planning Commission doesn't see something.

Alex Leeman opened the public hearing at 7:15 p.m.

Jay Lamoreaux, 47 South 300 West Farmington, said Royd had been a good friend and neighbor for a long time. He said Royd was an upstanding citizen and had contributed to the neighborhood and community. **Mr. Lamoreaux** said if there's no reason why **Mr. Waters** can't do this, he'd like to recommend him and votes in favor to proceed.

Alex Leeman closed the public hearing at 7:17 p.m.

Rulon Homer said he visited the lot. He knew of a neighbor and asked him if he had any concerns. The neighbor said he had no concerns and didn't think anyone else did either. **Rulon Homer** said that was good enough for him.

Alex Leeman said in that area of the city there are many lots of different sizes. He said most of the interior lots, not on the corners, are deep. It seemed to him on most of the corners the deep lots had been divided because they have street frontage. He didn't feel like adding a second home would disrupt the flow of the neighborhood.

Connie Deianni said it's zoned for multi-family or could fit a triplex on the parcel. She wondered about where he's going to sell the parcel for someone to build a home how would the Planning Commission ensure that a single family home is built instead of the triplex? **Dave Petersen** said once it's divided both parcels will be too small for a triplex and **Alex Leeman** said the division protects against that.

Motion:

Rulon Homer made a motion that the Planning Commission approve the subdivision by metes and bounds subject to all applicable Farmington City development standards and ordinances and the following conditions:

1. The design for the new home shall follow "new construction design guidelines" for the OTR zone, as found in Section 11-17-070;
2. Any improvements not yet installed, as set forth in Section 12-4-060 of the Subdivision Ordinance, shall be installed by the applicant prior to the issuance of any building permit, subject to City Engineer approval;
3. Any deviations from Chapter 13 of the Zoning Ordinance beyond the minimum lot area and lot width requirements shall come before the Planning Commission as a Special Exception.

Amy Shumway seconded the motion, which was unanimously approved.

Findings for Approval:

1. The property is currently zoned for multi-family, and could fit a 3-plex on the parcel. An additional single-family home is far preferable to an apartment or even an additional attached unit.
2. The southern portion of the property is currently open, and creates a gap in the street face, by building a single family home on this portion of the property, the proposal will fill in this gap.
3. The lot split is minor and will be consistent with other lots in the neighborhood.
4. By requiring that the new home follow the new construction design guidelines for the OTR zone, it ensures that the new home will be compatible with the surrounding (historic) neighborhoods.

Item #4. Taylor Spendlove / Brighton Homes (Public Hearing) – Applicant is requesting a recommendation for schematic plan and preliminary PUD master plan approval for the Brookside Hollow PUD Subdivision consisting of 16 lots on 5.3 acres of property located at 411 S. 200 West in an BP (Business Park) and AE (Agriculture Estates) zone. (S-11-18)

Dave Petersen said the parcel is located on the Frontage Road and 200 West, State Route 227. It is to the right of the exit off of 200 West. Steed Creek is on the northern and western boundary. The state has put a non-access line that can't be broken. The only access is an awkward spot close to the intersection. He said it's on a curve, but it's on the extreme safe side of the curve. The site distance isn't a problem. He said it's the eastbound traffic on the left hand turn lane that is the tightest. They positioned the road as far south as they can go. He said the developer is planning sixteen slab on grade units designed for senior living. The big facility in the northwest corner is an assisted living facility, which is a permitted use in this zone. **Dave Petersen** said if one has three acres or more, which this is about five acres, one can do up to eight dwelling units per acre in a BP zone. However, he said not all the land is BP. He referenced lots one and two on the yield plan. He said they are zoned Agriculture Estates. The yield plan for the entire property results in thirty-three lots, but the developer only wants to do sixteen. The developer is not asking for a rezone. He's asking for a PUD overlay to spread the density out amongst the five acres. **Dave Petersen** said the site plan shows the development having a common area where it's shaded. For the most part even the rear yards of the lots will be maintained and landscaped by a property management group for the owners.

Connie Deianni mentioned UDOT has a restriction on curb cuts along 200 West. She wanted to know why. **Dave Petersen** said it's probably because it's close to the interchange. **Connie Deianni** asked if the church to the north is outside of the NA line. **Dave Petersen** said it is. He said in some respects it's a good thing because there is a wall of trees because of the creek. That way no one will put their driveway there and cut through the trees and the creek.

Amy Shumway asked if the creek is open by the trees. **Dave Petersen** replied that it is. **Amy Shumway** asked if the developer had considered a trail easement? She said it might be short and may not go anywhere, but for seniors it may be of interest. **Dave Petersen** agreed it was a good amenity they may want to consider.

Dave Petersen said it has been an awkward piece of land over the years and it has been zoned BP for a long time. The other properties along 200 West, except for one, have all developed with office buildings. He said this parcel has been looked at by office users, but it's too deep for offices. He said the property sat for a long time. He said another assisted living facility looked at it, but it didn't work out because it had three stories and was too high. This developer only wants one story.

Taylor Spendlove, 215 N Redwood Road Suite 8, North Salt Lake, said he is partnering with the property owner who has purchased both parcels. He said they want to do a 55 plus community. The restrictions state you still have to allow 20% of the units to be sold to someone other than 55 or older. He said they can't commit to the trail yet, but are trying to get an exception from the LDS church to construct a bridge across the creek to attach to the church parking lot. He said lot 113 on the site plan will be removed to make more open space.

Connie Deianni asked about the assisted living center having thirty beds. She said parking didn't look adequate for both employees, residents and visitors. She asked if there would be more parking. **Mr. Spendlove** said that's what they're proposing.

Stephen David Clark, 1786 Country Circle Centerville, said sixteen parking spots is close to the minimum. He said if they're adding more green space they may be able to add more spots, but right now he thinks that meets the requirements.

Dave Petersen said when Lee Maxwell, who was the applicant for Country Care, came in years ago they proposed to go on 200 North on a one acre lot, a sixteen bed facility, in downtown. He said the neighbors were concerned about parking so he got with the state on these facilities. He identified twelve or thirteen similar facilities all over the valley. He took photos, talked to the proprietors and the adjacent neighbors about the parking situation. He said on average three parking spots were used per a fourteen to sixteen bed facility. He said assisted living facilities don't generate much traffic. He thinks sixteen parking stalls may be too much.

Connie Deianni asked if there was a code or regulation on how many employees or residents have cars. **Dave Petersen** said four parking stalls per a sixteen bed facility was the minimum. Every facility he went to easily got by. He said by those standards they would only need eight parking stalls, but they have sixteen.

Alex Leeman asked about the staffing level. **Mr. Clark** said they would be staffed more heavily than an average unit, but even at peak hours there are usually only seven or eight cars. He said the only time it would be used would be at an Easter egg hunt or an event for families to come in. He said they'd been talking to the church about overflow.

Alex Leeman asked if they anticipated having a minibus. **Mr. Clark** said they did. It would sit six to eight people. He said it would be on site.

Connie Deianni asked if the trees would be able to be saved, as it's a densely treed area. **Mr. Clark** said they want to save what they can, but they want to have an arborist make sure they are safe and healthy. There is some concern about the cottonwoods coming down in windstorms. They will have them reviewed, but would like to save as many of them as they can. **Connie Deianni** asked about the arborist. She is concerned because so many developments come into Farmington and plow down the trees. **Mr. Clark** said it adds to the character and is part of what makes it unique. They want to retain everything they can. That's the goal.

Alex Leeman asked if there would be street parking on 400 West, in the cul de sac they will be putting in. **Mr. Spendlove** said the street is designed to be a public road, so yes there will be street parking. He said the driveways are pretty close together, so there isn't much parking on the road. He said there is more space on the west side, but they are public streets.

Alex Leeman asked if they would be doing curb, gutter and sidewalk along 200 West to link up to what's on the west property line. **Mr. Spendlove** they will. He said they don't know how it's going to look yet.

Alex Leeman asked if it would have any impact on the city monument that's right there in the corner. **Mr. Spendlove** said it's outside parcel, so it won't have an impact.

Alex Leeman reviewed the two issues on the table and what the approval standards are. He said there is a two part motion. One is schematic plan that asks to look at the layout of the development. He said the approval of a development is a multistep process and this is the first one so they aren't expecting every detail yet, just the general concept. The other big part is the PUD master plan, the planned unit development. He said a PUD allows the developer to take a parcel and apply different rules and standards to it to accommodate development in a specific area. He said there are some standards the planning commission looks at. They look at the layout of the development and if it's pleasant. Second is consideration of adjacent property. The code wants to make sure it's not going to have a negative impact on areas outside the PUD. Third is efficient use of land. Fourth is compensation for increased density. He said that's not applicable here. Fifth is hazards not increased. It requires them to see if there is anything that has an impact on health or safety.

Alex Leeman opened the public hearing at 7:47 p.m.

Dee Johnson, 412 South 75 West Farmington, said he's lived east of the development for over thirty years. He said he had a friend who wanted to do a flag lot on his lot near this development and the city wouldn't allow it because it added more traffic out onto the frontage road. He said since then, two developments have been proposed. One was a big three story care center and one was an apartment complex. He said the city didn't let either go through because of the traffic congestion. He said since then there have been two developments that have gone in. Those two have different accesses. They don't have to come out on the frontage road. **Mr. Johnson** pointed out that this development only has that one access onto the frontage road. This area is getting a lot of traffic now. He said he doesn't see any changes and the new high school is going to bring traffic. He said there is no other way out of there. If traffic is backed up around the other developments they have a chance to go to other roads. Here, he said, there's no chance. He said he's concerned about that. **Mr. Johnson** said he wondered why the city turned things down before. He didn't know if it was the height only or the traffic problems because it's so close to the road. He said it doesn't look like they're doing much to alleviate that. He thinks they're going to have problems getting people out of the cul de sac unless something else is done. He asked what the city is doing about water. He said there is a problem with water. He said he wants the Planning Commission to take those things into consideration.

Harv Barenz, 492 South Wendell Way Farmington, said he wanted to piggyback off what Mr. Johnson had said. He said he lives in the Kestrel Bay development and has dealt with Brighton Homes for four years. He said he wants to encourage everyone to look at Kestrel Bay and see if it is an attractive neighborhood. He said it's fifty-two houses slammed in there. He said the developers here are going to hide it by saying it's only sixteen when they could put thirty, but it's not true because the owner is the lot on the corner and there's no way he would go for that smaller lot plan. He said you're talking about

seventy cars. He thinks the property should have no more than ten houses. He said the infrastructure of Kestrel Bay is trash. There's no water pressure. No one can water their lawn. He said the city doesn't have the infrastructure for this. Everyone in his neighborhood has dead lawns and dead trees. He said it's not attractive. He brought up safety. He said the frontage road gets cars flying off of the freeway. He thinks there's going to be too much traffic. He said it's dangerous.

Dave Petersen welcomed Mr. Barenz to stop by the office so he could share with him what they know about secondary water. He said it has little to do with development patterns. He said it has more to do with them under anticipating the dry year and not purchasing water from Weber Basin.

Alex Leeman brought up culinary and secondary water. He said culinary is run by the city and the city is required by law to provide water to every lot. He said there is no legal requirement for secondary. It isn't run by the city, but by Benchland. He said Benchland is separate from the city. Part of the process for every development is that it gets reviewed by the development review committee which includes Weber Basin and Benchland and all the city departments. They require developers to acquire and provide Benchland with sufficient water rights to cover the volume of water that's anticipated, if they choose to have secondary water in their development. He said the water rights give you a place in line for water. He said some years there's not water. That means if you're at the end of the line you don't get it.

Dave Petersen said they received data from Benchland. The data was interesting. He again welcomed Mr. Barenz to come by.

Alex Leeman said he didn't want to dismiss the water issue. They are thinking about it, but he said it means if a development comes in the city has to acquire water for it. He said the culinary water system in Farmington is fine. There are no supply problems in the city. He said citizens use an obscene amount of secondary water.

Jay Lamoreaux, 47 S 300 W Farmington, said he's noticed water standing in that area. He asked if there are any plans to make sure it will be high enough when the weather changes. He asked if there will be basements in the homes. **Alex Leeman** said there will not be basements. **Mr. Lamoreaux** said the single level homes or facilities are nice. He said he knows people who would like to be in Farmington in a single level facility like the one proposed.

Alex Leeman said the single family houses are being built with the intention of being on slab with wider doorways and geared toward more independent living, but more senior residents.

Mr. Lamoreaux said he thinks the city needs this type of facility. He said if the other problems could be solved he would be in favor of it.

Clive Jackson, 353 S 75 W Farmington, said he thinks the water is an issue. He said his concern is that he's lived in Farmington for forty years. He said the population has increased tenfold. He said he doesn't know the amount of water that's available, but it seems like the same amount is available. Maybe more can be purchased, but that is a concern for those who live down that way. He said another concern is the density. He said he thinks it does need to be addressed because there is a lot of density in his neighborhood. He said he would want to be assured that if it's mainly for elderly people, is the property going to be well maintained so the value of surrounding homes doesn't go down. He said he doesn't know that anyone can comprehend what traffic is going to be like going over Glovers Lane with the new high school. He said it's a tough traffic situation going along the frontage road. He thinks the traffic is going to increase a great deal with problems there.

Alex Leeman closed the public hearing at 8:06 p.m.

Alex Leeman brought up a letter that addresses a lot of the same concerns, about the tight corner and the traffic concerns. **Alex Leeman** reviewed the multistage process. He said the first stage is schematic plans for preliminary approval. He said at this stage Planning Commission makes a recommendation to the City Council and the City Council makes the final approval. At this stage the developer doesn't have the right to develop until the next stage in the process. He said one condition staff has already written in and recommended for approval is the developer has to provide a traffic study. That will be data the Planning Commission will have at the next level of approval.

Connie Deianni asked who conducts the traffic study. **Dave Petersen** said the developer gets an independent traffic engineer. Then the city engineer and transportation engineer reviews his report. **Connie Deianni** said she's never seen a traffic study. She asked if there's a threshold and who makes that decision. **Dave Petersen** said he imagines the study will show capacity. The big question is the site distances. The traffic study will go into detail on that too. He brought up the high school. He said they don't know what impact there will be, but the traffic peaks are different. The city is taking precautions. **Connie Deianni** asked if the traffic report will indicate the peaks. She said she wants to see a traffic study for the tight corner. She said she uses the road for soccer games and it doesn't matter what time of day it is, there's always traffic.

Alex Leeman said the frontage road is a collector road so it's anticipated to have more peaks than a local road. He said the traffic stacks up when someone wants to go straight because there's no right turn lane. He asked if it's a city or county road. **Dave Petersen** said UDOT owns the dirt the frontage road sits on, but it's maintained by the city. **Alex Leeman** asked if the city has the power to put in a right turn lane. Can the city work with UDOT? **Dave Petersen** said they will work with UDOT.

Alex Leeman said the traffic study will show if that's something that needs to be addressed. He wonders if this development will be the final straw that breaks the camel's back.

Dave Petersen said the developer gets an independent traffic consultant. Once the study is done the city has someone critique it. If the city feels the need for a third person to review it they will get it. He said there are checks and balances on those studies. He said the Planning Commission will be able to review it.

Amy Shumway asked if the city has ever tried to slow traffic coming off the freeway there. **Dave Petersen** said he didn't know. He does know the police gives tickets there. He assumes Farmington City police can have jurisdiction there. The police do traffic studies and speed studies all over the city daily. He said it would be interesting if they did that right there.

Amy Shumway asked if they're putting an island in front of the junior high. **Dave Petersen** said an island or lights will be put in in two or three months.

Alex Leeman asked the applicant to address the water issue that was brought up. **Mr. Spendlove** said there's a well on site for the existing home on the smaller parcel. The upper parcel was rented out for grazing for an individual's horse. The owner would flood the area so there was a lot of water getting onto the site. Along the west side of the creek there are portions that are in the flood zone. He said a portion of the property is in that flood zone, but all the buildings are outside of that.

Alex Leeman asked if they do any mitigation or flood protection along the creek. **Mr. Spendlove** said everything is outside of that. He said they do have an application into County Flood Control to review it and provide any additional requirements to maintain the creek. **Mr. Clark** said they do expect to bring in some dirt to level it out on the west side, but the development is going to be slab on grade so he's not too worried about basement flooding.

Alex Leeman asked if the single family homes will be maintenance free. **Mr. Spendlove** said yes. He said it's critical for him to have it be beautiful. He's counting on it being a nice, well maintained community. They've spent time negotiating added landscaping because they want the neighborhood to feel beautiful.

Alex Leeman said they talked about access, that the parcel is in a difficult spot because UDOT doesn't allow access to the west onto 200 W. He said the only place this parcel can outlet is onto the frontage road. He said with the southern parcel coming into it it helped move it further south than where it otherwise had to be. He asked in terms of how close the road outlet is, it's not violating any restrictions? **Dave Petersen** said it's not violating any local laws, but they do need the traffic study to make sure the distances meet some sort of standard. It is a short distance between there and the corner. He said one option is to table it until the traffic study is done.

Alex Leeman said density was another thing mentioned. There is the assisted living facility which is moderately sized and 15 lots reduced to 14 which is something that was committed to. **Alex Leeman** would be inclined to put that in as an additional condition that they are removing lot 113.

Amy Shumway said she thinks it's great. She said seniors don't want large lots. There should be enough for a sense of community.

Alex Leeman said for him and his kids he likes to have a yard. However his parents live in a neighborhood configured like this that's maintenance free and has smaller yards. They wanted somewhere where they could walk around and not worry about mowing. He said he's big on having a place in the city for everybody, having options for everyone. He looks at if it's incompatible with the neighborhood. He said the density in this development doesn't bother him. For the population they're trying to serve it seemed like a nice complimentary use between the level two care facility and the people who want to live in a senior neighborhood.

Connie Deianni said it's at the entrance to our city. While she agrees the city needs a place for everyone, she still has to consider the people on the perimeter with large lots. They built there to have larger lots. This development would have two houses for one of those lots. She said the adjacent property is one piece the Planning Commission has to look at. She's concerned about there only being one way out onto the frontage road. There will be thirty people living in the assisted living facility, staff, emergency vehicles going in and out. She thinks maybe it would be better to have fewer homes, but still smaller lots. She said she knows elderly people don't want yards to take care of, but she thinks maybe there's a way to make it less dense.

Alex Leeman said lot 111 in the corner is huge, much bigger than the lot it backs to. He said 110 to 106 are about three to two of the ones they've added. They're quite a bit tighter. Lot 105 is similar to the neighborhood it backs to. He asked if there's an ability to average out spacing. **Mr. Spendlove** said a lot of it has to do with the cul de sac length, the pie shape. He said there is a little wiggle room, but the layout is based on those two issues. Typically lots on a cul de sac are bigger, but these ones are even bigger because of the length of the cul de sac. He said the code requires a certain distance with only one access.

Alex Leeman said they are well within that. He asked the developer if they can nudge lots 112 and 111 to the west since they are removing lot 113 and space out 110 through 106. **Mr. Spendlove** said they could do that. It's something they could look at.

Alex Leeman said maybe they could add even a few feet on those tight ones on the east side. **Mr. Spendlove** said they could bump 110 over ten to twenty feet. He said they would like to get the concept plan approved, then work through any of those issues. They are eliminating a lot which will adjust a few things. He said the general layout won't change. The only place they can put the access road is onto the frontage road. He said on average a single family home resident makes eight trips a day. He doesn't think these residents are typical. Seniors will make less trips than that. They aren't running kids around. But they are definitely open to making adjustments, but would like to get it through this conceptual process.

Alex Leeman asked to talk about options. They are at schematic plan. There's no vesting right now. The Planning Commission has the ability to recommend approval with conditions with the traffic study and lot 113 being removed. They can require that those adjustments be made before the next level of approval. If the chair feels changes are substantial enough it can be brought before the public again. They can reopen or notify of another public hearing. He said another option is to table if the planning commission isn't comfortable with that process. They could table it and require them to bring the traffic study before they advance it from this stage. The developer obviously has the view that they'd like to go forward because they have a schedule they want to stay on. The PUD gives the Planning Commission a lot of flexibility. He said he's ok advancing it with those conditions placed in it. The process accounts for that. He said he won't be there for the next process so the other commission members need to make sure they are comfortable with it.

Alex Leeman closed the public hearing, but allowed **Royd Waters**, 95 W State St., to speak. **Mr. Waters** said in 2005-2006 there was a severe flooding problem. Steed Creek had to be sandbagged. He wanted to know how far the setback is from the creek and what is the separation from the houses side to side. He said he's concerned about it being bottlenecked if equipment for sandbagging needs to get in there. He said we may be in a dry spell, but next year there could be 150 inches of snow that will come down at one time. In 2005-2006 that field was flooded from the creek. Debris came down and got caught in the bend. A lot of branches on trees came down. **Alex Leeman** said that is a separate process. The developer said they submitted an application to the county about flooding. He said this three step process anticipates changes being made along the way. **Mr. Waters** asked if people can get in and sandbag.

Amy Shumway wanted to know if she could ask for one more condition. She wanted to know if a trail easement could be put in. She thinks it could be one of the best features that every resident would use.

Dave Petersen said there are two types of trail easements, one that has a trail that circles the project with a walking path onsite and the one the developer suggested that they're trying to work out with the LDS church. The developer doesn't have control of that. He said there could be a condition to consider adding a trail around the site for the residents.

Alex Leeman said he might suggest a condition to require a trail around the assisted living facility that then continues east to the proposed bridge and the bridge if approved by the LDS church.

Amy Shumway asked if it would be bridged right on the border of 113 and 112. **Alex Leeman** said he thinks the developer is anticipating to bridge from somewhere where 113 is right now. He said

he doesn't want to require a trail going all the way up to the corner of the property because it wouldn't go anywhere.

Amy Shumway said she does have concerns about flooding and being able to get to it.

Dave Petersen said there's a reason the flooding occurred. He said the culvert that goes along the frontage road was too small. That's what caused the flooding. He said the county did a project that made it much bigger. Because of the proximity to Steed Creek the developer has to get a flood control permit anyway. He said the chances of water not fitting the opening now are dramatically reduced. He said it would have to be a cataclysmic event to flood. He said they enlarged the culvert from this point all the way down to Glovers Lane.

Amy Shumway asked if property line goes to the creek. How far from the creek is it? **Mr. Spendlove** said the grading plan shows where the bank is. He said the homes are 20 feet from the bank. He said the north property line is a little into creek. It's not the center of the creek, but part of the water line is on the property.

Amy Shumway asked if trail easement could be placed in back of the lots so access could go in back of it to have a longer walking area along the creek. **Mr. Spendlove** said 112 and 111 are going to nowhere. If looking at access for a flood issue they could provide an access easement to get back there. He said there's nowhere for a trail to go to so it doesn't make sense unless there was an easement on the property to the east to access the road above. He's guessing the county will require an access easement.

Dave Petersen said he thinks it might be a good idea for the developer to draw some of the thoughts people have had. It's hard visualizing. He said it may not make sense or it may make sense.

Rulon Homer said he moved to west Farmington in 1977 and has a few acres of land just off of 650 W. He's said all along the city has set itself up for some real major traffic issues on the west side. He said a number of residents have complained on 650 W about the school. There is already extra traffic on the road. He said he's noticed police have already given tickets. He said he's had a never ending discussion about traffic since he moved out there. He said traffic will be an issue. He said it will be backing up 1800 students with cars. Things are going to get cluttered. He said he's protested some of these things, but more subdivisions have gone in and more traffic gets dumped on the roads. It is a frustration. But he said property owners have a right to develop their properties. These developers have that right. He said that along with those who haven't wanted to develop their land makes for a cluttered situation. He said Farmington is not what it used to be. Everyone wants it to be the way it was when they moved here, and it can't be that way. He said he'd like to see the Planning Commission do anything they can do to negate the issues brought up and see if it will lessen the burden, but he also thinks the people have a right to develop their property. He said Farmington is going to have traffic no matter what. It puts them in a quandary. He would like to negate traffic issues, but thinks they have the right to develop.

Motion:

Rulon Homer made a motion that the Planning Commission recommend that the City Council approve the schematic plan and preliminary PUD master plan for the Brookside Hollow PUD Subdivision subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The applicant shall provide a transportation/traffic study for the project;
2. All outstanding comments from the DRC for schematic plan shall be addressed on preliminary plat.
3. The applicant will address the removal of lot 113 and adjustment of the lot boundaries to try to space them out more.
4. Add a proposal for a trail or trail access around the assisted living facility.
5. Need to hear more about flood control when the applicant hears back from the county.

Amy Shumway seconded the motion, which was approved by Amy Shumway, Rulon Homer and Alex Leeman. Connie Deianni did not vote in favor. **Connie Deianni** said she voted against approval because she would have supported tabling it for the traffic study. She thinks it's a bigger issue than everyone is thinking it will be. She was hoping if it were tabled the traffic study would come back and would support reducing the density a bit. The motion was approved.

Findings for Approval:

1. The proposed plans meet the requirements of the subdivision and zoning ordinances for the BP zone.
2. The proposed development will provide single-family residential developments similar to those of surrounding subdivisions.
3. The elevations provided are of a high design quality and meet the intent of Sections 11-27-010 and 11-27-120 of the Zoning Ordinance.
4. The landscape plan provided is of a high design quality and meet the intent of Sections 11-27-010 and 11-27-120 of the Zoning Ordinance.
5. Although single-family residential is not a listed permitted or conditional use in the BP zone, it is a much preferable use to many of the permitted and conditional uses that are currently allowed in the underlying zone.

REZONE

Item #5. Maureen Benson (Public Hearing) – Applicant is requesting a recommendation for rezone approval of 2.34 acres of property located at 332 S. 1100 West from an A (Agriculture) to an AE (Agriculture Estates) zone. (Z-6-18)

Dave Petersen said this is more of a housekeeping item. There are two properties, one on 1100 W, highlighted in blue, the other a lot in Chestnut Farms, in red. The owners want to adjust their common boundary. The parcel in red will grow in size, the parcel in blue will shrink in size. It is zoned agriculture. In order to adjust the boundary line to offer more than the .34 acres it needs to be zoned agriculture estates. He said all properties around except these 3 are agriculture estates. He said staff recommends approval.

Alex Leeman said the proposal is to take the long lot in the middle and shift the western third so it is part of the yard of the lot on the cul de sac. He said they need a rezone to do it.

Maureen Benson, 332 S 1100 W Farmington, said they would like to adjust the boundary so they can sell a half acre to the people who live directly behind them.

Alex Leeman said it is a rezone which is entirely discretionary. He said it always involves a public hearing.

Alex Leeman opened the public hearing at 8:59 p.m.

(No comments were received at this time.)

Alex Leeman closed the public hearing at 8:59 p.m.

Alex Leeman said there's not a lot of concern here.

Motion:

Connie Deianni made a motion that the Planning Commission recommend that the City Council approve the zoning map amendment of property located at 332 S. 1100 West, and further identified by parcel identification number 081640019 from A (Agriculture) to AE (Agriculture Estates), subject to all applicable Farmington City ordinances and development standards and the following condition: the applicant shall obtain approval of a plat amendment concurrent with City Council review of the rezone application.

Rulon Homer seconded the motion, which was unanimously approved.

Findings for Approval:

1. The requested rezone is consistent with the General Plan designation of RRD.
2. The requested rezone and subsequent plat amendment will not add any density to the area.
3. The requested rezone is consistent with surrounding properties in all directions.
4. The requested rezone will allow the applicant to move forward with a plat amendment application, allowing them the highest and best use of their property.

OTHER

Item #6. Miscellaneous: a) Anna May (Public Hearing) – Applicant is requesting a special exception to the fixed dimensional standards of the underlying zone, and to utilize a shared driveway on .91 acres of property located at 45 S. and 59 S. 300 West in an OTR (Original Townsite Residential) zone (M-4-18).

Dave Petersen said the Mays own a lot with a single family home on 300 W. The Lamoreaux's own a lot next to it with a two family dwelling. The Mays also own a parcel that's in the center of that

Alex Leeman said he thinks it's a great idea. The support of the neighbors speaks highly of the people in the area. He said he's impressed they pulled it off.

Rulon Homer said he had talked to one of the neighbors and they are in full support of it too.

Motion:

Amy Shumway made a motion that the Planning Commission approve the special exceptions as follows: 1) the utilization of a shared driveway as set forth in Section 11-32-060 of the Zoning Ordinance, and 2) the adjustment to a fixed dimension standard related to the frontage requirement as set forth in Section 11-3-045 of the Zoning Ordinance, subject to all applicable Farmington City ordinances and development standards and the following conditions:

1. The Fire Marshall shall approve the design of the shared driveway prior to the issuance of any building permits;
2. The applicant shall submit a plat to the City for review and approval, and record the plat prior to issuance of any building permits;
3. The applicant shall record a reciprocal access easement over the shared driveway prior to or concurrent with the recordation of the plat, and such easement shall be acceptable to the City as determined by the City Planner;
4. The applicant shall address any outstanding comments from the DRC prior to issuance of a building permit.

Rulon Homer seconded the motion, which was unanimously approved.

Findings for Approval:

1. The proposed special exception is desirable in that it reduces access onto 300 West.
2. The proposed application is desirable in that it allows the property owner the full use of their property.
3. The proposed application is a good use of in-fill development, and provides access to an otherwise unusable space.
4. The proposed special exception is not detrimental to the health, safety, or general welfare of persons residing or working in the vicinity.
5. The proposed special exception does not create unreasonable traffic hazards, and the parcel where the special exception is located is sufficient in size to accommodate the use.

ADJOURNMENT

Motion:

Planning Commission Minutes – August 9, 2018

At 9:12 p.m., **Alex Leeman** made a motion to adjourn the meeting, which was unanimously approved.



Alex Leeman *E. Kent Hinchley*
Chair, Farmington City Planning Commission